

CITY COUNCIL  
ATLANTA, GEORGIA

01-2-1978<sup>79</sup>

**A RESOLUTION  
BY PUBLIC SAFETY COMMITTEE**

**A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO SETTLE ALL CLAIMS ARISING OUT OF THE CASE OF FLEET CAPITAL LEASING TECHNOLOGY FINANCE V. CITY OF ATLANTA, CIVIL ACTION FILE NUMBER 01-029542-CK IN THE CIRCUIT COURT OF OAKLAND COUNTY, MICHIGAN FOR \$22,000.00; AND FOR OTHER PURPOSES.**

**WHEREAS**, Plaintiff Fleet Capital Leasing Technology Finance ("Fleet Financial") has filed a civil action claiming breach of lease, interest, and attorneys fees; and

**WHEREAS**, such breach allegedly resulted from the delayed payment of certain invoices and non-payment of other invoices to Fleet Financial for the lease of copy equipment by the City; and

**WHEREAS**, Fleet claimed damages in excess of \$25,000.00 for said breach; and

**WHEREAS**, the City desires to pay the amounts owed pursuant to the lease agreement; and

**WHEREAS**, the Law Department recommends settlement with Plaintiff Fleet Financial for \$22,000.00 in satisfaction of all obligations under the lease, including the duty to return the copier equipment that was the subject of said lease; and

**WHEREAS**, Plaintiff Fleet Financial, by and through its attorney of record, has agreed to accept \$22,000.00 as full settlement of its claims the City of Atlanta and thereafter shall dismiss his claim against the City of Atlanta; and

**WHEREAS**, in the opinion of the City Attorney, it is in the best interests of the City to settle this action pursuant to such terms;

**NOW THEREFORE, BE AND IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:**

**Section 1.** The City Attorney is hereby authorized to settle the case of FLEET CAPITAL LEASING TECHNOLOGY FINANCE V. CITY OF ATLANTA, Civil Action File Number 01-029542-CK, in the Circuit Court for the County Of Oakland, Michigan for the sum of TWENTY-TWO THOUSAND DOLLARS in exchange for the dismissal with prejudice of the suit against the city of Atlanta and an executed release to be prepared by the Law Department.

**Section 2.** The Chief Financial Officer is hereby directed to transfer \$22,000.00 from Account Number 1AO1 711001 Y21001 to Account Number 1AO1 729017 Y21001.

**Section 3.** The Chief Financial Officer is hereby authorized to pay a total sum of \$22,000.00 to Plaintiff Fleet Financial and its attorney, Robert S. Ajlouny, Esq., from Account Number 1AO1 729017 Y21001.

A true copy,

  
Municipal Clerk, CMC

ADOPTED by the Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403

NOV 19, 2001

NOV 28, 2001

RCS# 3301  
11/19/01  
5:27 PM

Atlanta City Council

Regular Session

01-O-1978

ADOPT

YEAS: 10  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 3

Y McCarty	B Dorsey	Y Moore	Y Thomas
B Starnes	Y Woolard	Y Martin	Y Emmons
NV Bond	B Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	NV Boazman	NV Pitts

01-O-1978

01-R-1978

(Do Not Write Above This Line)

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PUBLIC SAFETY & LEGAL ADMINISTRATION  
COMMITTEE

A RESOLUTION AUTHORIZING THE CITY  
ATTORNEY TO SETTLE ALL CLAIMS ARISING  
OUT OF THE CASE OF FLEET CAPITAL  
LEASING TECHNOLOGY FINANCE V. CITY OF  
ATLANTA, CIVIL ACTION NUMBER 01-029542-  
CK IN THE CIRCUIT COURT OF OAKLAND  
COUNTY, MICHIGAN FOR \$22,000.00; AND FOR  
OTHER PURPOSES.

APPROVED BY:

*Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL, PWG/DA  
DEPUTY CITY ATTORNEY

ADOPTED BY  
NOV 19 2001

COUNCIL

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair *C. T. Mendenhall*  
Referred to \_\_\_\_\_

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

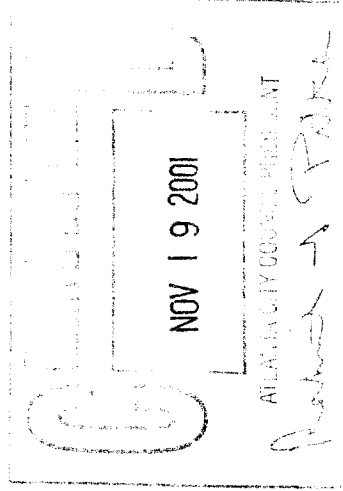
Members

Refer To

FINAL COUNCIL ACTION

- ☐ 2nd
- ☐ 1st & 2nd
- ☐ 3rd
- Readings
- ☐ Consent
- ☐ V Vote
- ☒ RC Vote

CERTIFIED



CERTIFIED  
NOV 19 2001

*Rachel Douglas Johnson*  
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

NOV 28 2001

WITHOUT SIGNATURE  
BY OPERATION OF LAW